

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA	:	
	:	
vs.	:	CRIMINAL ACTION 07-00184-CG
	:	
RONALD BENJAMIN SMITH	:	
	:	
Defendant.	:	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that the plaintiff's motion for permission to appeal in forma pauperis is hereby **DENIED** because the appeal is frivolous and not taken in good faith.

DONE and ORDERED this 18th day of May, 2011.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE